

The rejection of claims 1, 2, 8 to 11, 17 to 20 and 26 to 28 under 35 U.S.C. §103(a) as being unpatentable over Morozumi et al. (U.S. Patent No. 6,194,304) (the '304 Morozumi Patent) in view of Ngo (U.S. Patent No. 6,054,735) (the '735 Ngo Patent) is acknowledged.

The Rejection Of Claims 3 To 7, 12 To 16 And 21 To 25 Under 35 U.S.C. §103(a) as Being Unpatentable Over Morozumi et al. (U.S. Patent No. 6,194,304) In View Of Ngo (U.S. Patent No. 6,054,735) As Applied To Claims 1, 2, 8 To 11, 17 To 20 And 26 To 28, And Further In View Of Tao (U.S. Patent No. 5,904,566)

The rejection of claims 3 to 7, 12 to 16 and 21 to 25 under 35 U.S.C. §103(a) as being unpatentable over Morozumi et al. (U.S. Patent No. 6,194,304) (the '304 Morozumi Patent) in view of Ngo (U.S. Patent No. 6,054,735) (the '735 Ngo Patent) as applied to claims 1, 2, 8 to 11, 17 to 20 and 26 to 28 under 35 above and further in view of Tao (U.S. Patent No. 5,904,566) (the '566 Patent) is acknowledged.

Applicants' wish to briefly point up the claimed features of their invention which are believed to be not shown nor obvious from the teachings of known references in this field. The claims all clearly define:

- (1) pre-coating the inner walls of a CVD chamber with a first PECVD silicon oxide film having a first thermal CVD oxide deposition rate;
- (2) placing a semiconductor wafer within the pre-coated CVD chamber, the wafer having an upper second PECVD silicon oxide film having a second thermal CVD oxide

deposition rate that is less than the first thermal CVD oxide deposition rate of the first PECVD silicon oxide film coating the inner walls of the CVD chamber; and
(3) depositing a porous silicon oxide film upon the semiconductor wafer's second PECVD silicon oxide film, the porous silicon oxide film being different from the first PECVD silicon oxide film coating the inner walls of the CVD chamber.

The '735 Ngo Patent teaches away from the claimed instant invention as it discloses seasoning a chamber with a film material and then depositing the *same* film material on a wafer.

Further, the '304 Morozumi Patent discloses forming a third silicon oxide layer by *plasma* CVD (Col. 8, lines 57 to 60). Claims 11 and 20 include the limitation that the porous silicon oxide film (a "third silicon oxide layer") is thermally deposited. New dependent claim 29 adds this limitation to independent claim 1 and new dependent claims 29 to 31 further include the specific (previously implicit Applicants urge) limitation that the thermally deposited porous silicon oxide film is deposited without plasma power.

Thus independent claims 1, 11 and 20 distinguish over Morozumi in view of Ngo (and Tao) under §103(a) for the above reasons and further because, inter alia: the prior art lack a suggestion that the reference should be modified in a manner required to meet the claims; the Examiner misunderstood the Morozumi and Ngo Patents; the invention is contrary to the teaching of the Ngo Patent—that is, the invention goes against the grain of what the prior art teaches; the Examiner has made a strained interpretation of

the reference that could be made only by hindsight; the Examiner has not presented a convincing line of reasoning as to why the claimed subject matter as a whole, including its differences over the prior art, would have been obvious; and the prior art references do not contain any suggestions (express or implied) that they be combined, or that they be combined in the manner suggested.

Claims 2 to 10 and 29 depend from independent claim 1; claims 12 to 19 and 30 depend from independent claim 11; claims 21 to 28 and 31 depend from independent claim 20; and are believed to distinguish over the combination for the reasons previously cited.

Therefore claims 1 to 31 are submitted to be allowable over the cited references and reconsideration and allowance are respectfully solicited.

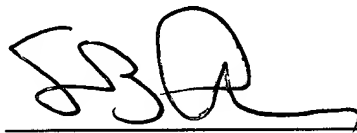
CONCLUSION

In conclusion, reconsideration and withdrawal of the rejections are respectively requested. Allowance of all claims is requested. Issuance of the application is requested.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

It is requested that the Examiner telephone Stephen G. Stanton, Esq. (#35,690) at (610) 296 – 5194 or the undersigned attorney/George Saile, Esq. at (845) 452 – 5863 if the Examiner has any questions or issues that may be resolved to expedite prosecution and place this Application in condition for Allowance.

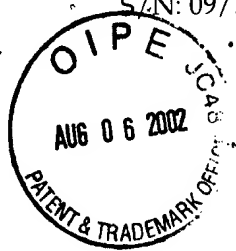
Respectively submitted,

A handwritten signature in black ink, appearing to be 'SBA', written over a horizontal line.

Stephen B. Ackerman

Reg. No. 37,761

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Version with markings to show changes made.

Please add the following claims 29 to 31:

-- 29. The method of claim 1, wherein the porous silicon oxide film is thermally deposited without plasma power.

30. The method of claim 11, wherein the porous silicon oxide film is thermally deposited without plasma power.

31. The method of claim 20, wherein the porous silicon oxide film is thermally deposited without plasma power. --